

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Miller Communications, LLC)	File No.: EB-10-AT-0140
)	
Owner of Antenna Structure)	NAL/Acct. No.: 201132480001
ASR # 1018669)	
Red Hill, GA)	FRN No.: 0006147490
)	

FORFEITURE ORDER

Adopted: August 11, 2011

Released: August 11, 2011

By the Regional Director, South Central Region, Enforcement Bureau:

1. In this Forfeiture Order (“*Order*”), we issue a monetary forfeiture in the amount of twelve thousand dollars (\$12,000) to Miller Communications, LLC (“Miller Communications”), owner of antenna structure number 1018669 located in Red Hill, Georgia, for willful and repeated violation of section 303(q) of the Communications Act of 1934, as amended (“Act”)¹ and sections 17.47(a) and 17.51(a) of the Commission’s rules (“Rules”).² The noted violations involved Miller Communications’s failure to monitor antenna structure lighting and failure to exhibit all red obstruction lighting from sunset to sunrise.

2. On April 12, 2011, the Enforcement Bureau’s Atlanta Office (“Atlanta Office”) issued a Notice of Apparent Liability for Forfeiture (“*NAL*”) in the amount of \$12,000 to Miller Communications.³ Miller Communications has not filed a response to the *NAL*.⁴ Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 503(b) of the Communications Act of 1934, as amended,⁵ and sections 0.111, 0.204, 0.311 and 1.80(f)(4) of the Commission’s rules,⁶ Miller Communications, LLC **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$12,000 for violations of section 303(q) of the Act and sections 17.47(a) and 17.51(a) of the Rules.⁷

4. Payment of the forfeiture shall be made in the manner provided for in section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified,

¹ 47 U.S.C. § 303(q).

² 47 C.F.R. §§ 17.47(a), 17.51(a).

³ *Miller Communications, LLC*, Notice of Apparent Liability for Forfeiture, 26 FCC Rcd 5801 (Enf. Bur. 2011).

⁴ Despite numerous extensions, counsel for Miller Communications failed to submit a response to the *NAL*.

⁵ 47 U.S.C. § 503(b).

⁶ 47 C.F.R. §§ 0.111, 0.204, 0.311, 1.80(f)(4).

⁷ 47 U.S.C. § 303(q); 47 C.F.R. §§ 17.47(a), 17.51(a).

the case may be referred to the Department of Justice for enforcement pursuant to section 504(a) of the Act.⁸ Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payments by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. FCC Form 159 may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures. Miller Communications, LLC shall also send electronic notification on the date said payment is made to SCR-Response@fcc.gov.

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by both First Class Mail and Certified Mail, Return Receipt Requested, to Miller Communications, LLC at its address of record and to its counsel, Lewis H. Goldman, P.C., at 45 Dudley Court, Bethesda, MD 20814.

FEDERAL COMMUNICATIONS COMMISSION

Dennis P. Carlton
Regional Director, South Central Region
Enforcement Bureau

⁸ 47 U.S.C. § 504(a).